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TC 1700

Docket No. 100858-00106



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Arthur L. VELLUTATO, Sr. GROUP ART UNIT: 1744
SERIAL NO: 09/994,671 EXAMINER: L. McKane
FILED: November 28, 2001
FOR: METHOD OF STERILIZATION

#118
3/28/03
J. Proch

TERMINAL DISCLAIMER

COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

The inventor Arthur L. Vellutato, Sr. (hereinafter "Applicant") is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application.

Applicant, through undersigned counsel, hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of United States Patent Nos. 6,333,006 and 6,123,900 and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent Nos. 6,333,006 and 6,123,900, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

Further Applicant does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as presently shortened by any terminal disclaimer of United States Patent Nos. 6,333,006 and 6,123,900 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully Submitted,

BLANK ROME LLP


Peter S. Weissman
Registration No. 40,220

March 21, 2003

Date Signed